

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 1:13-md-2419-RWZ

THIS DOCUMENT RELATES TO:

Montee v. New England Compounding Pharmacy, Inc., et al. Docket No. 13-cv-12657;
Cooper v. New England Compounding Pharmacy, Inc., et al. Docket No. 13-cv-12658;
Cooper v. New England Compounding Pharmacy, Inc., et al. Docket No. 13-cv-12659.

**PLAINTIFFS' STEERING COMMITTEE'S ASSENTED TO MOTION FOR
LEAVE TO EXCEED PAGE LIMIT IN FILING MEMORANDUM OF LAW IN
OPPOSITION TO BKC DEFENDANTS' MOTION TO DISMISS PURSUANT TO
F.R.C.P. 12(b)(6).**

Plaintiffs' Steering Committee moves this Honorable Court for leave to allow Plaintiffs' brief in support of its opposition to BKC Defendants' Motion to Dismiss (Dkt #897) to exceed the twenty (20) page limit provided by Local Rule 7.1(b)(4).

On February 7, 2014, BKC Defendants filed a similar motion for leave to exceed the page limit prior to filing its Motion to Dismiss (Dkt #877). On February 7, 2014, the Court granted Defendants' motion for leave to exceed the page limit (Dkt #886). BKC Defendants then filed a Motion to Dismiss accompanied by a memorandum of law in support thereof which was approximately twenty-seven (27) pages in length, seeking to dismiss the above-three named lawsuits.

In order to effectively respond in kind to the various complex legal issues and legal claims raised in BKC Defendants' Motion to Dismiss the above three named cases, Plaintiffs also request leave to exceed the page limit set forth in Local Rule 7.1(b)(4). Plaintiffs estimate

that their brief will not exceed thirty-five pages in total and Counsel for BKC Defendants, Morrison Mahoney LLP, have no objection to the requested extension.

For the foregoing reasons, Plaintiffs respectfully request that the Court waive the twenty (20) page limit for Plaintiffs' memorandum of law in support of its opposition to BKC Defendants' Motion to Dismiss.

Date: March 17, 2014

Respectfully Submitted,

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Plaintiffs' Steering Committee

SO ORDERED.

Dated: _____

**HONORABLE RYA W. ZOBEL
U.S. DISTRICT COURT JUDGE**

CERTIFICATE OF SERVICE

I, Kimberly A. Dougherty, hereby certify that I caused a copy of the above Assented to Motion for Leave to Exceed Page Limit pursuant to Local Rule 7.1(b)(4) to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: **March 17, 2014**

/s/ Kimberly A. Dougherty
Kimberly A. Dougherty, Esq.